IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 11TH APRIL 2007 / 21ST CHAITHRA 1929

Bail Appl..No. 2077 of 2007(P)

CRIME NO. 74 OF 2007 OF HARIPAD POLICE STATION

PETITIONERS

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1. PRASANNAN, AGED 45 YEARS,
   S/O.PURUSHOTHAMAN, MEGHALAYAM, THAMALAKKAL,
   KUMARAPUPRAM VILLAGE.

2. HARIDASAN, AGED 48 YEARS,
   S/O.PURUSHOTHAMAN, KATTIL HOUSE,
   THAKALAKKAL, KUMARAPURAM.

3. BAIJU, AGED 35 YEARS, S/O.BALAKRISHNA
   PANICKER, BAIJU BHAVANAM, THAMALAKKAL,
   KUMARAPURAM VILLAGE.

BY ADV. SRI.N.SURESH

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
   HARIPPADU POLICE STATION, HARIPPADU.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 2077 2007

DATED: 11-04-2007

O R D E R

Petitioners who are accused Nos. 1 to 3 in Crime No. 74 of 2007 of Haripad Police Station for offences punishable under Sections 341 and 308 read with Sec. 34 I.P.C seek anticipatory bail.

2. The learned Public Prosecutor opposed the application.

3. The case of the prosecution is that at about 5.45 a.m. on 24-02-2007 accused Nos. 1 to 3 armed with deadly weapons like swords, the 4th accused armed with iron rod, assaulted the de facto complainant causing injuries. The motive alleged is that he had reported to the Excise Officials about the illicit brewing of arrack by the accused persons.

2. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioners should not surrender before the Magistrate and seek regular bail. Accordingly, if the petitioners surrender before the Magistrate and file an application for regular bail within **two weeks** from today, the same shall be considered and disposed of preferably on the same date on which it is filed bearing in mind the decision in ***Sukumari v. State of Kerala - 2001 (1) KLT 21.***

This petition is disposed of as above.

V.RAMKUMAR, JUDGE

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